

REMARKS

In the outstanding official action, layout guidelines were suggested for use in the instant application. In response, this suggestion is acknowledged, but section headings have not been added to the instant specification as they are not required in accordance with MPEP §608.01(a).

On the merits, independent claim 1, and claims 2 and 4-7 were rejected under 35 USC 102(b) as being anticipated by Boszormenyi et al, with dependent claims 3, 8 and 9 being rejected under §103(a) as being unpatentable over Boszormenyi in view of the indicated secondary references, all for the reasons of record.

In response, independent claim 1 is herewith amended in order to more clearly and precisely define the novel and unobvious features of the instant invention, and it is respectfully submitted that independent claim 1, as herewith amended, and the remaining claims depending therefrom, are clearly patentably distinguishable over the cited and applied references for the reasons detailed below.

More particularly, it is suggested in the Action that Boszormenyi discloses a system for laser cleaning and inspection of disc surfaces used for recording data. However, the system disclosed in the cited and applied reference is clearly a free-

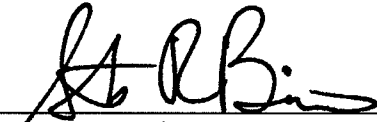
standing cleaning and inspection system using an excimer laser, and is independent of any structure for reading information on an information carrier. Thus, the system disclosed in the prior art reference is similar to prior-art laser cleaning technology as discussed on page 2 of the instant specification.

The instant invention, on the contrary, is clearly patentably distinguishable in that it is directed to a device for reading information contained in a data layer which is spaced apart from a surface of the information carrier, with a radiation source being provided to read the data layer by focusing the beam on the internal data layer, with the device also including cleaning means including control means to perform the cleaning by refocusing the spot created by focusing the beam so that it is now focused substantially on the surface of the information carrier. Thus, an important aspect of the present invention as now claimed is the use of a single radiation source for generating a beam of radiation, and refocusing the beam to create a spot either in the internal data layer which is spaced apart from the information carrier surface, or refocusing the spot substantially on the surface of the information carrier to perform the cleaning function. It is respectfully submitted that such a structure, as now more clearly and precisely recited, is neither shown nor suggested in Boszormenyi. Accordingly, it is respectfully submitted that

independent claim 1, and the remaining claims which depend from and further limit this claim, are now clearly patentably distinguishable over the cited and applied references for the reasons detailed above.

In view of the foregoing amendments and remarks, it is respectfully submitted that the instant application is now in condition for allowance, and favorable consideration is earnestly solicited.

Respectfully submitted,

By 

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